IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5986 OF 2006

Mamta Dineshchandra Tiwari..... .....
Petitioner
V/s
President, Bhartiya Gyan Vardhini Sabha & Ors.... .....
Respondents.

Office Notes, Office Memoranda of Coram, appearances Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

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Mr.P.S.Dani, petitioner.

Ms.Sharvari Shailendra i/by Adv. for the

Mr.A.M.Joshi, Adv. For respondent No.1.

Mr.S.K.Chincholikar, AGP for the State.

CORAM: A.P.DESHPANDE, J.
14.2.2007

PC:

The order passed by the School Tribunal dismissing the appeal filed by the present petitioner is challenged by filing this petition. The petitioner claims that she was appointed with effect from 11.9.2003 as junior clerk and the said appointment was on probation. The petitioner had approached the Tribunal calling in

question the legality and validity of termination effected from March, 2005. It is thus clear that the petitioner has not completed the probation period, even assuming that the appointment was made on probation.

The Tribunal has categorically found that the petitioner has failed to establish that her appointment was on probation and made after following due process of selection. The petitioner has relied on advertisement purported to have been issued on 9.7.2002 whereas the appointment is claimed to have been made in September, 2003. The Tribunal has further observed that the Secretary of the Society seems to be siding with the petitioner/appellant and the relevant documents appear to have been cooked up to substantiate the claim of the petitioner. The Tribunal has further recorded finding that when the petitioner claims to have been appointed there was ban imposed on recruitment and thus the petitioner could not have been so recruited.

Perused the order passed by the Tribunal. Same does not suffer from any error or illegality requiring interference in exercise of writ

jurisdiction. In the result petition fails and is summarily dismissed.

14.2.2007